

**DECISION RECORD
and
FINDING OF NO SIGNIFICANT IMPACT**

I. Decision:

Based on the analysis and evaluation of the environmental assessment, it is my decision to authorize the Proposed Action to C. Vernon Humble, Alaska Trophy Hunting LLC, for a Special Recreation Permit to conduct commercial guide-outfitting on BLM administered lands within the State of Alaska's Guide Use Areas 19-10 and 16-01 for a one year probationary period, subject to annual or multi-year renewal.

The mitigation measures adopted from the EA are listed below as stipulations and are attached to the permit.

II. Rationale for the Decision:

The proposed action is within the boundaries of the Southwest as well as the Southcentral Management Framework Plans (MFP), dated November 1981 and March 1980 respectively. The proposed activity has been reviewed for conformance with the identified plans and the following associated objectives are documented within the plans.

The activity objectives within the Southwest MFP includes Wildlife (WL-4) and Recreation (R-3). These decisions do not directly address special use permitting, but recognize that hunting is a legitimate use of public land.

The Glennallen Field Office (GFO) operates under the East Alaska Resource Management Plan (EARMP) of 2007. The proposed action has been reviewed by GFO and determined to be in compliance with the 2007 EARMP for authorized allocations within the proposed use area. Guidance for recreation management actions can be found within the EARMP at C-3: Bering Glacier Research Natural Area beginning on page 8.

III. Finding of No Significant Impact (FONSI):

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

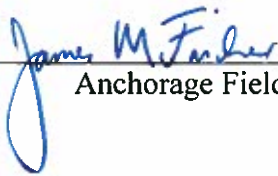
IV. ANILCA Section 810 Compliance:

The decision will not significantly restrict subsistence uses, decrease the abundance of subsistence resources, alter the distribution of subsistence resources, or limit subsistence user access from currently existing conditions. No further analysis is necessary at this time.

V. Adverse Energy Impact Compliance:

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

Case File No.: AA-087973
AK-011-08-CX-047


Anchorage Field Manager


Date

Attachments:

- 1) NEPA Document: AK-011-08-CX-047
Conditions and Stipulations



Bureau of Land Management
Anchorage Field Office
4700 BLM Road
Anchorage, AK 99507
<http://www.anchorage.ak.blm.gov>

Categorical Exclusion

Applicant: Vernon Humble – AK Trophy Hunting (SRP)
Case File Number: AA-087973
AK-011-08-CX-047



Camp Locations:

T. 026 N., R. 022 W., Sec. 30, Seward Meridian, and
T. 021 S., R. 020 E., Sec. 29, Copper River Meridian.
Anchorage, Alaska

Prepared By:

Jeff Kowalczyk
Outdoor Recreation Planner
July 15, 2008

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage Field Office

CATEGORICAL EXCLUSION (CX) FORM

CX No.: AK-010-08-CX-047

Lease/Serial/Case File No.: AA-087973

Proposed Action Title/Types: Commercial big game guiding-outfitting.

Location of Proposed Action: Rohn Air Navigation Site area and Robinson Mountains region.

Description of Proposed Action:

The Proposed Action involves commercial big game guiding-outfitting activities conducted partially on BLM-administered lands and waters within State-established Guide Use Areas (GUA) 19-10 (Rohn) and 06-01 (Robinson Mountains/Bering Glacier area). Mr. Humble is a new BLM recreation permit applicant and has been a state registered hunting guide since the 1970's with no known state or federal game or land use violations. The applicant proposes using less than three cumulative staging area acres for less than 14 consecutive nights. This applicant currently has similar permits with the U.S. Forest Service, Chugach National Forest, with no history of resource or permit violations. If the BLM approves this permit, the permittee shall be issued an initial one-year probationary authorization, with potential for annual or multi-year renewal.

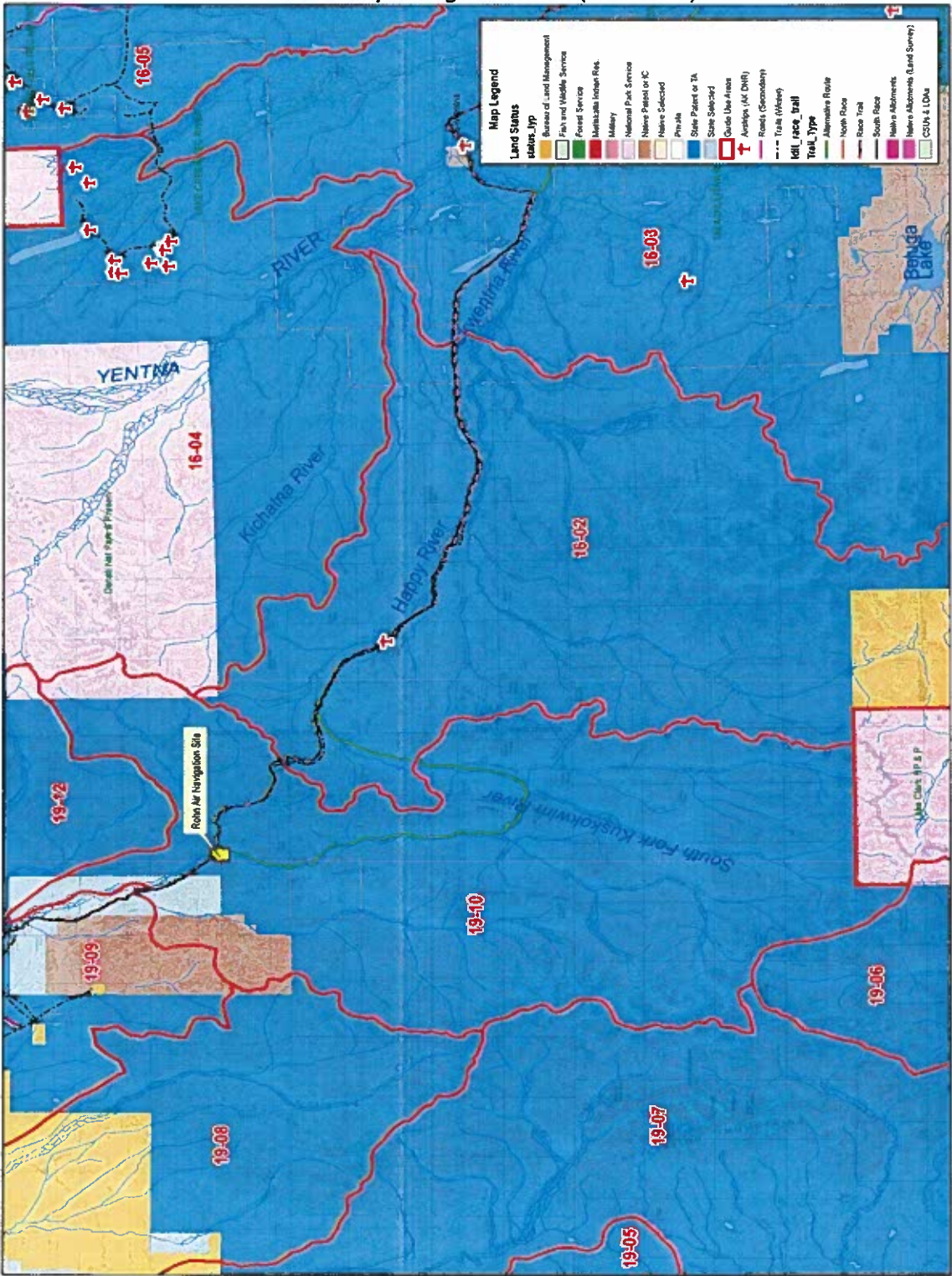
Proposed use within GUA 19-10 (see map 1) would occur August through September. Mr. Humble wishes to establish a temporary base camp on state land that would be authorized through a state permit. Spike camps may be located on surrounding BLM-administered lands. Spike camps shall consist of a small tent and pit privy. The locations of temporary spike camps are unknown at this time since they are dependent on the location of game. The spike camps would be utilized for short periods of time (3-7 days) by three to ten clients annually and any pit privy filled in when they leave the area. Trash will be packed out. No long-term or over-winter storage of personal items or gear is being requested on BLM-administered lands. Initial access to the area involves flying the clients to the BLM Rohn Air Navigation Site and then transporting them to a base camp located on state land. The applicant wishes to utilize ATVs on river bars and existing trails. Vehicle use on BLM lands is permitted on existing roads and trails only.

Proposed use within GUA 06-01 (see map 2) would occur April, May, and June, as well as September through November. Mr. Humble wishes to establish a temporary base camp on state or private land that would be utilized through a permit. Spike camps may be located on surrounding BLM-administered lands and will consist of a small tent and pit privy. The locations of temporary spike camps are unknown at this time since they are dependent on the location of game. Spike camps would be used from 3-7 days and any pit privy would be filled in when they leave the area. All trash would be packed out. No long-term or over-winter storage

of personal items or gear is being requested on BLM-administered lands. Activities would include the use of ATVs and four wheel drive vehicles. The BLM has confirmed that the applicant has contacted DNR's Division of Coastal & Ocean Management to determine any state or federal permit requirements for stream crossings with ATV's within the Bering Glacier Coastal Zone Boundary. Additional BLM conditions and stipulations shall be applied to activities occurring on BLM lands that are within the inland boundary of this coastal management zone. The current road system, beaches, and existing trails will be used to access hunting areas. Vehicle use on BLM lands is permitted on existing roads and trails only. Six to ten clients are planned for the spring and 15-23 clients in the fall. Initial access to area will be at Icy Cape via air taxi service. Landings may also occur on a strip located along the White River or land on Glaciers and walk down to hunting areas.

Commercial filming is also being requested on BLM-administered lands in conjunction with the above activities. Per BLM Manual H-2939 (8/7/2006), the BLM may include filming with the SRP whenever there is commercial filming being produced that (1) maintains minimum impacts to the human environment as described in H-2939 at page 15; and (2) the filming takes place at the same time, location, and in association with the activity being permitted under the SRP. To ensure that the associated filming activities maintain minimum impacts, standard commercial filming stipulations shall be included within the SRP authorization.

Map 1
Humble Operating Area - 2009 (GUA 19-10)



Disclaimer: This map has been prepared for informational use only. It is not official. Even though carefully researched and prepared, the BLM does not guarantee the accuracy of the information.

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 Miles

Map 1: Humble Operating Area - 2009 (GUA 19-10) Roan Air Navigation Site

DRAFT

Humble Operating Area - 2009 (Guide Use Area 16-01)



PART I - PLAN CONFORMANCE REVIEW

This Proposed Action is subject to the following land use plan:

The proposed action is within the boundaries of the Southwest as well as the Southcentral Management Framework Plans (MFP), dated November 1981 and March 1980 respectively. The proposed activity has been reviewed for conformance with the identified plans and the following associated objectives are documented within the plans.

The activity objectives within the Southwest MFP includes Wildlife (WL-4) and Recreation (R-3). These decisions do not directly address special use permitting, but recognize that hunting is a legitimate use of public land.

The Glennallen Field Office (GFO) operates under the East Alaska Resource Management Plan (EARMP) of 2007. The proposed action has been reviewed by GFO and determined to be in compliance with the 2007 EARMP for authorized allocations within the proposed use area. Guidance for recreation management actions can be found within the EARMP at C-3: Bering Glacier Research Natural Area beginning on page 8.

The Proposed Actions have been reviewed for conformance with this plan (43 CFR 1610.5-3(b)).

PART II - NEPA REVIEW

A. Categorical Exclusion Review.

The Proposed Actions qualify as categorical exclusions pursuant to 516 DM 11.9, Appendix 4, Part H, 1:

“Issuance of Special Recreation Permits for day or overnight use up to 14 consecutive nights; that impacts no more than 3 (cumulative) staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).”

B. Departmental List of Extraordinary Circumstances Review.

The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents MUST BE PREPARED for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

- | | YES | NO |
|-----------------------------------------------------------------|-------|----------|
| 1. Have significant adverse impacts on public health or safety. | _____ | <u>X</u> |

- | | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------|
| 2. | Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. | _____ | X
_____ |
| 3. | Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. | _____ | X
_____ |
| 4. | Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. | _____ | X
_____ |
| 5. | Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. | _____ | X
_____ |
| 6. | Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. | _____ | X
_____ |
| 7. | Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office. | _____ | X
_____ |
| 8. | Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. | _____ | X
_____ |
| 9. | Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. | _____ | X
_____ |
| 10. | Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). | _____ | X
_____ |
| 11. | Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). | _____ | X
_____ |

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12. Contribute to the introduction, continued existence, or spread of _____ X
weeds or non-native invasive species known to occur in the
actions that may promote the introduction, growth, or expansion
of the range of such species (Federal Noxious Weed Control Act
and Executive Order 13112).

I certify that none of the Departmental Extraordinary Circumstances listed in the above Part B
(516 DM 2, Appendix 2) apply to this action.

Preparer(s): Jeff Kowalczyk

Date: 08-03-09

PART III – DECISION

The proposed actions are in conformance with a management framework plan or a resource management plan, 43 C.F.R. § 1610.8(a)(3) (2007). The Department of the Interior has determined and found that the proposed actions are within categories of actions that do not individually or cumulatively have a significant effect on the human environment and that neither an environmental assessment nor an environmental impact statement is required, 40 C.F.R. §1508.4 (2007).

It is therefore my decision to implement the action, as described, with appropriate mitigation measures or stipulations.

Mitigation Measures/Other Remarks: In addition to conditions and stipulations attached to the permit, annual compliance inspections and performance evaluations shall be conducted and documented within the permittee's case file.

This authorization excludes lands selected by Chugach Alaska Corporation within the Bering Glacier area.

Authorized Official: James M. Fisher Date: 9/21/2009

CONDITIONS AND STIPULATIONS
For
SPECIAL RECREATION PERMIT # AA-087973
VERNON HUMBLE – ALASKA TROPHY HUNTING

In addition to the terms included on the back of the enclosed Special Recreation Application and Permit (SRP) (Form 2930-1), the following special stipulations are a part of this permit and are applicable to BLM-administered lands and water, including State and Native Selected areas. Failure to comply with any of these conditions or stipulations knowingly or willfully is a violation of 43 Code of Federal Regulations 2932.57, punishable by up to a \$100,000 fine and/or a year in jail.

Use Limitations

1. This permit authorizes day use or overnight use up to 14 consecutive nights and use of no more than three cumulative staging area acres (base and spike camps combined) on BLM administered lands (BLM).
2. This permit shall be terminated or adjusted accordingly, two days prior to approval of conveyance of state or native selected lands which affect your operating areas.
3. This permit does not authorized commercial recreation activities on lands selected by Chugach Alaska Corporation within Guide Use Area 06-01 near the Bering Glacier area.
4. This permit does not authorize construction of new aircraft landing areas, because actual construction of new landing areas by extensive clearing would require conformance with Federal Aviation Administration guidelines and a long-term authorization. Minor improvements, such as moving rocks or logs, to allow an area to be used for aircraft landing must be conducted under the limitations of 43 CFR 8365.1-5 to limit impacts to vegetation and soils. These limitation state no person shall: Willfully deface, remove or destroy any personal property, or structure, or any scientific, cultural, archaeological or historic resource, natural object or area; willfully deface, remove or destroy plants or their parts, soil, rocks or minerals or cave resources. This permit does not authorize exclusive use of landing areas.
5. Only the use of dead trees for campfires is permitted. This permit does not authorize the cutting of live trees. Permittee shall make their employees and clients aware of responsible low-impact practices and techniques, as outlined in the enclosed Alaska Wildlands Leave No Trace Skills and Ethics booklet.
6. Within 14 days from the completion of the last permitted event, all trash shall be hauled out by the permittee and disposed of in a proper landfill, dumpster, or trashcan. Cans, glass, plastics, batteries and other non-combustible/non-degradable materials shall not be burned. Do not bury refuse. Gray water and human waste shall be disposed of at least 100 feet beyond the ordinary high water mark of any water body. Bury all gray water and human

waste. When possible, we encourage the use of portable toilet systems along rivers (e.g. porta-potties).

Rohn Air Navigation Site

7. Commercial use of any BLM public shelter cabin is prohibited without prior authorization (Rohn, Bear Creek, Tripod Flats, and Old Woman).
8. Tent camping at Rohn is limited to cleared areas immediately adjacent to the airstrip and 100 feet away from the trail leading from the airstrip to the cabin. All human waste shall be contained within a portable toilet system or in the on-site outhouse.
9. Storage or hanging of game bags is prohibited within 600 feet of the cabin.
10. Discharge or use of firearms anywhere on the 406 acre Rohn site is prohibited.
11. Permittee shall not leave gut piles, hides, or animal parts anywhere on the Rohn site.
12. Long-term storage of fuel cans, either on the ground or cached in trees, is prohibited. All cans must be removed immediately upon conclusion of permitted activity.

Coastal Management Zones

13. Catholes may be used for human waste 150 ft. elevation and higher, above mean high water. No ground disturbing activities including digging of catholes are allowed below 150 ft. elevation. When and where practical, pack out all human waste or carry a portable toilet. For responsible management of human waste, refer to the enclosed *Alaska Wildlands Leave No Trace Skills & Ethics* booklet, published 2/05.
14. Permittee must observe all policies and regulations applicable to the designated Yakutat/Bering Glacier Coastal Management Zone.

Vehicle Use

15. No vehicle traffic is allowed off established roads and trails. Pioneering new trails with any motorized vehicle, and the use of motorized vehicles exceeding 2,000 pounds gross vehicle weight rating (GVWR) on established trails is prohibited without prior authorization from the authorized officer (AO). GVWR includes the weight of the vehicle itself plus fuel, driver, passenger, and manufacture's specified load limits. Permittee shall make every reasonable effort to avoid streams, lake shores, meadows, muddy trails, steep hillsides, and observed wildlife.
16. All stream crossings must be accomplished at perpendicular angles to reduce stream bank impacts.

17. All-terrain vehicles (ATVs) should be thoroughly cleaned prior to accessing BLM managed lands. Washing and/or brushing ATVs to remove material that can contain weed seeds is a good way to insure equipment that is being driven across or onto BLM lands are weed and weed seed free. High pressure washing is recommended to treat the insides of wheel wells, undercarriages, inside belly plates, wheels, etc.

Fuel and Waste Management

18. Waste water, non-hazardous solid waste, hazardous substance storage containers, and spills shall be managed in accordance with Title 18 Alaska Administration Code (see Attachments 1 and 2).
19. To avoid conflicts with bears, sealed bear proof containers are suggested for food and unburned waste until such waste can be removed from all camps. Meat and animal parts shall be removed from all camps as soon as possible to avoid attracting bears.

Federal, State, Local Laws and Regulations

20. Copies of Alaska Master or Registered Guide/Outfitter license(s) for people authorized to conduct business with BLM concerning the permit shall be submitted to the BLM before authorization or re-authorization is approved for every year the permit is in effect. If applicable, Assistant Guide/Outfitter license(s) are also required.

Commercial Filming

21. You are authorized to perform commercial filming in conjunction with this permit only when this activity takes place at the same time, location, and in association with your activities permitted under this SRP. In this instance, both the SRP fee and a commercial filming fee will be charged and submitted to the BLM.
22. Filming is limited to the use of handheld and tripod mounted cameras. Use of dollies, tracks, cranes, high lines, aircraft and other camera support devices are not allowed, unless the camera support device is part of the recreation activity authorized under this SRP. Construction or removal of vegetation for the creation of a camera platform or to clear a shot is not allowed. No more than two, battery-powered, auxiliary lighting sources may be used.

Miscellaneous

23. Request for an assigned site must be submitted in writing.
24. A performance evaluation shall be completed by the BLM for all permittees. The purpose of a performance evaluation is to evaluate a permittee's performance and compliance with the terms and stipulations of the permit. The permittee will be given written notice of results of annual performance evaluations after the conclusion of the permittee's operating

season, which will include the level of performance and the status of corrections that may be required to retain the permit.

General Terms

25. The permittee shall comply with all federal, state, and local laws; ordinances; regulations; orders; postings; or written requirements applicable to the area or operations covered by the SRP. The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, or spectators under the permittee's supervision.
26. An SRP authorizes special uses of BLM-managed public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including the amount of use. The AO may suspend an SRP, if necessary to protect public resources, health, safety, or the environment, or as a result of noncompliance with permits stipulations.
27. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by the BLM.
28. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the federal land by other users. The United States reserves the right to use any part of the area for any purpose.
29. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, the AO may approve contracting of equipment or services in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit. This permit may not be reassigned or transferred by the permittee.
30. All advertising and representations made to the public and the AO must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used without written permission by the BLM. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special Federal user's tax.

31. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, (e.g., trail and route conditions, land slides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards) that present risks for which the permittee assumes responsibility.
32. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittee's SRP.
33. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
34. The permit, or copies thereof, shall be kept with the authorized individual(s) and presented to any BLM representative upon request as proof of authorization.
35. The AO, or a duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or permittee's operator, employee, or agent for up to 3 years after expiration of the permit.
36. The permittee must submit a completed post-use report, along with appropriate fees by **January 1** of every year the permit is in effect. If the post-use report and fees are not received by the established deadline, the permit will be suspended and/or fines assessed.
37. The permittee shall notify the AO of any accident that occurs while involved in activities authorized by this permit which results in: death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500. Reports shall be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.

ATTACHMENT 1

Pollution Prevention and Reporting Stipulations for management of Wastewater, Solid Waste, and Spill Prevention and Response

Wastewater must be managed in accordance with Title 18 Alaska Administrative Code, Chapter 72, (18 AAC 72) Wastewater Disposal. Wastewater is defined as Human Waste (sewage), and Gray Water (water which has been used for personal hygiene, washing clothing, tools, equipment, or sanitizing cooking and eating materials). If the standards for Pit Privies (Outhouse) found at 18 AAC 72.030 (extract at Attachment 2) cannot be met, all wastewater must be collected (in a portable toilet for example) and transported to a state approved disposal facility. Upon closure of a site the Pit Privy(s) must be limed and completely back-filled with the surface area covered and re-graded to approximate original appearance. Pit Privies must be authorized by the BLM in advance and identified within their submitted Operating Plan.

Non-Hazardous Solid Waste (trash/refuse) may be burned in pits. All unburned/unburnable trash/refuse will be back hauled from the area and disposed in an approved waste disposal site. All fire pits must be removed or destroyed after use. Trash/refuse will not be disposed of in a Pit Privy. Food waste and human waste should be disposed of daily to reduce conflicts with wildlife which may be attracted.

Hazardous Waste will be back hauled from the area and properly disposed by the generator at the end of each year a permit is in effect. Hazardous wastes are defined by the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Hazardous wastes include, but are not limited to; fuel, oils and grease, compressed gas cylinders (propane, butane, aerosol cans, etc.), batteries, insect repellants/pesticides, ammunition, and residues of spills of any of the above.

Fuel, oil, or hazardous substance storage containers will be stored a minimum of 150 feet away from the ordinary high water mark of any water body. Containers with a total combined capacity of 110 gallons must be stored within an impermeable diked area or portable impermeable structure capable of containing 110 percent capacity of the largest independent container. Accumulated rain/snow melt water must be properly removed periodically to ensure the containment structure's capacity remains adequate at all times. All containers must be clearly marked with the contents and owner's name.

Spills/releases to the environment of fuel, oil, or hazardous substances will be responded to and cleaned-up immediately. Adequate spill response/cleanup materials such as absorbent pads, shovels, and heavy gauge plastic bags or containers will be available and on-hand at each location where fuels/oil are stored or used. Persons who are expected to respond to spills of oil or hazardous substances must be properly trained in accordance with the standards prescribed in Code of Federal Regulations 29, Part 1910.120(q). No dumping of fuel in pits on public land is authorized or tolerated. Spills of fuel/oil or any hazardous substance will be reported to the BLM, and the Alaska Department of Environmental Conservation as required by Title 18 Alaska Administrative Code, Chapter 75; Oil & Hazardous Substances Pollution Control. Specific direction on reportable quantities and time allowances is found at 18 AAC 75.300, Discharge Release Notification; Release Reporting (extract at Attachment 2).

ATTACHMENT 2

TITLE 18 ALASKA ADMINISTRATIVE CODE CHAPTER 72 – WASTEWATER DISPOSAL (EXTRACT)

18 AAC 72.030. PIT PRIVIES. Pit privies must meet the separation distance requirements in 18 AAC 72.020. A person may not dispose of gray water in a pit privy. (Eff.4/1/99, Register 149)

18 AAC 72.020. SEPARATION DISTANCES

(b) The minimum separation distance between the mean annual high water level of a lake, river, stream, spring, or slough, or the mean higher high water level of coastal waters, and a lift station, holding tank, septic tank, soil absorption system, seepage pit, pit privy, or other wastewater collection, treatment, or disposal system is 100 feet, measured horizontally.

(i) A person may not install a pit privy in an area subject to flooding. The vertical separation between the lowest point of a pit privy and the water table, measured during the season of the year with maximum water table elevation, must be at least four feet.

TITLE 18 ALASKA ADMINISTRATIVE CODE CHAPTER 75 – OIL & HAZARDOUS SUBSTANCES POLLUTION CONTROL (EXTRACT)

18 AAC 75.300. DISCHARGE OR RELEASE NOTIFICATION; REPORTING REQUIREMENTS.

(a) Subject to (b) of this section, a person in charge of a facility or operation shall notify the department by telephone, and immediately afterwards send the department a written notice by facsimile, hand delivery, or first class mail, informing the department about a discharge or release of a hazardous substance at or from the facility or operation as follows:

(1) as soon as the person has knowledge of a

(A) discharge or release of a hazardous substance other than oil;

(B) discharge or release of oil to water; or

(C) discharge or release, including a cumulative discharge or release, of oil in excess of 55 gallons solely to land outside an impermeable secondary containment area or structure; and

(2) within 48 hours after the person has knowledge of a discharge or release, including a cumulative discharge, of oil solely to land

(A) in excess of 10 gallons, but 55 gallons or less; or

(B) in excess of 55 gallons, if the discharge or release is the result of the escape or release of oil from its original storage tank, pipeline, or other immediate container into an impermeable secondary containment area or structure.

(b) A person in charge of a facility or operation shall maintain, and provide to the department monthly, a written record of each discharge or release, including a cumulative discharge or release, of one gallon to 10 gallons of oil solely to land.

(c) If a person in charge of a facility or operation has entered into an agreement with the department, as provided under AS 46.03.755(b) or AS 46.09.010(b), for the periodic reporting of a discharge or release of a hazardous substance, the terms of the agreement replace the applicable requirements of this section for the hazardous substance.

(d) After receiving notice of a discharge or release under (a) of this section, and until containment and cleanup are completed, the department will require interim reports as the department considers necessary to ascertain any threat to human health, safety, or welfare, or to the environment.

(e) Unless the department determines that a written report is not needed for the department to ascertain any threat to human health, safety, or welfare, or to the environment, a written report must be submitted to the department within 15 days after containment and cleanup are completed or, if no cleanup occurs, within 15 days after the discharge or release. The report must be submitted to the department's Anchorage, Fairbanks, or Juneau office, whichever is nearest to the location of the discharge, unless the department specifies otherwise. The report must contain the information specified in (f) of this section.

(f) A report, record, or notification required by this section must contain, as applicable,

- (1) the date and time of the discharge or release;
- (2) the location of the discharge or release;
- (3) the name of the facility or operation;
- (4) the name, mailing address, and telephone number of
 - (A) each responsible person; and
 - (B) the owner and the operator of the facility or operation;
- (5) the type and amount of each hazardous substance discharged or released;
- (6) factors that caused or contributed to the discharge or release;
- (7) a description of any environmental effects of the discharge or release, or the containment and cleanup, to the extent those effects can be identified;
- (8) a description of the containment or cleanup action taken;
- (9) the estimated amount of
 - (A) hazardous substance cleaned up; and
 - (B) hazardous waste generated;
- (10) the date and method of disposal or treatment of the hazardous substance, contaminated equipment, contaminated materials, contaminated soil, and contaminated water;
- (11) a description of actions being taken to prevent another discharge or release; and
- (12) other information that the department requires to fully assess the cause and impact of the discharge or release, including any sampling reports and a description and estimate of any remaining contamination.

Note: Spills required to be reported to the State of Alaska must also be reported to BLM.

**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ANCHORAGE, ALASKA
REPORT OF EXAMINATION FOR CULTURAL RESOURCES**

1. Abstract: No further consultation is necessary under section 106 of the National Historic Preservation Act.

- 2a. Location:** Guide Use Areas 19-10 (Tatina/Kuskokwim river) and 06-01 (White River area)
USGS Quad: McGrath B-1 and Bering Glacier A-3&4
2b. Case File # AA-087973 (AK-010-08-CX-047)
Action Type: Special Recreation Permit and commercial filming permit

3. Project Description: Size: < 1 acre

Mr. Humble proposes to guide and film several hunts in the Tatina/Kuskowkim river area (GUA 19-10) between August and September and the Robinson Mountain/White River area (GUA 06-01) during April through June and September through November. Temporary base camps will be established on State land (under state permits) with spike camps located on surrounding BLM-administered lands depending upon game locations. The Rohn airstrip will be used as a staging area to access the base camp located on state land with ATVs over river bars and existing trails. The Robinson Mountain/White river area will be accessed by air taxi into a nearby airstrip. Access to the base camp will be by ATVs and four wheel drive vehicles over the existing road system, the beach and existing trails.

Topography: The Rohn airstrip lies in a broad river valley at the juncture of the south fork of the Kuskokwim and the Tatina rivers. Mountains surround the river courses and rise from the valley bottom of approximately 1500 feet to peaks up to 6060 feet above sea level. The Robinson Mountains/White River area consists of a broad river valley, glaciers and steep mountains ranging in elevation from approximately 400 feet to 2500 feet above sea level.

Vegetation: spruce forest to alpine tundra

4. Consultation Procedures: The Alaska Heritage Resource Survey (AHRS) and BLM files were consulted.

5. Findings: Several sites are recorded in the vicinity of the Rohn Airstrip (GUA 19-10) and the White River (GUA 06-01). MCG-019 is known as the Rohn River Checkpoint Cabin and is located at the Rohn airstrip. The CCC built this cabin in 1939. It is currently used as a shelter cabin and as a checkpoint for the Iditarod sled dog race. It is eligible to the National Register of Historic Places.

6. Recommendations: Since the Rohn River Checkpoint Cabin also serves as a BLM shelter cabin it should remain accessible to the public. In general the activities associated with hunting should not endanger archaeological or historic sites as long as permit stipulations regarding cultural resources are followed. No further consultation is necessary under section 106 of the National Historic Preservation Act.

I certify that this examination complies with pertinent historic preservation laws and regulations.

11Aug2008
Date(s) of Examination


Archaeologist/Historian

A clear copy of (or an original of) the USGS Topographic Map of the project and the area surveyed must be attached.
AK8111-1 (April 1992)

**United States Department of Interior
Bureau of Land Management
Anchorage Field Office**

Threatened and/or Endangered Species Evaluation

Casefile Number: AA-087973

NEPA Document Number: AK-010-08-CX-047

Proposed Action Title/Types: Commercial big game guiding outfitting.

Location of Proposed Action: Rohn Air Navigation Site area and Robinson Mountains region.

Description of Proposed Action:

The Proposed Action involves commercial big game guiding-outfitting activities conducted partially on BLM-administered lands and waters within State-established Guide Use Areas (GUA) 19-10 (Rohn) and 06-01 (Robinson Mountains). Mr. Humble is a new BLM recreation permit applicant and a State registered hunting guide since the 1970's with no known State or Federal game or land use violations. This applicant currently has similar permit with the U.S. Forest Service, Chugach National Forest, with no history of resource or permit violations. If the BLM approves this permit, the permittee shall be issued an initial one-year probationary authorization.

Proposed use within GUA 19-10 would occur August through September. Mr. Humble wishes to establish a temporary base camp on State land that would be authorized through a State permit. Spike camps may be located on surrounding BLM-administered lands. Spike camps shall consist of a small tent and pit toilet. The locations of temporary spike camps are unknown at this time since they are dependent on the location of game. The spike camps would be utilized for short periods of time (3-7 days) by three to ten clients annually and the toilet filled in when they leave the area. Trash will be packed out. No long-term or over-winter storage of personal items or gear is being requested on BLM-administered lands. Initial access to the area involves flying the clients to the BLM Rohn Air Navigation Site and then transporting them to the State base camp. The applicant wishes to utilize ATVs on river bars and existing trails. Clients would be seeking to harvest brown bear, black bear, moose, Dall sheep, caribou, wolf and wolverine. Hunting in this unit will take place in August and September for all species in season.

Proposed use within GUA 06-01 would occur April, May, and June, as well as September through November. Mr. Humble wishes to establish a temporary base camp on State or private land that would be utilized through a permit. Spike camps may be located on surrounding BLM-administered lands and will consist of a small tent and pit toilet. The locations of temporary spike camps are unknown at this time since they are dependent on the location of game. Spike camps would be used from 3-7 days and the pit toilets would be filled in when they leave the area. All trash would be packed out. No long-term or over-winter storage of personal items or gear is being requested on BLM-administered lands. Activities would include the use of ATVs and four wheel drive vehicles. The current road system, the beach, and existing trails will be

used to access hunting areas. Six to ten clients are planned for the spring and 15-23 clients in the fall. Initial access to area will be at Icy Cape via air taxi service. Landings may also occur on a strip located along the White River or land on Glaciers and walk down to hunting areas. Clients would be seeking to harvest brown bear, black bear, moose, mountain goat, black tail deer, wolf and wolverine. Hunting in this unit will take place in April through June for bear hunts, and September through November for all species in season.

Commercial filming is also being requested on BLM-administered lands in conjunction with the above activities. Per BLM Manual H-2939 (8/7/2006), the BLM may include filming with the SRP whenever there is commercial filming being produced that (1) maintains minimum impacts to the human environment as described in H-2939 at page 15; and (2) the filming takes place at the same time, location, and in association with the activity being permitted under the SRP. To ensure that the associated filming activities maintain minimum impacts, standard commercial filming stipulations shall be included within the SRP authorization.

The impact of the proposed action and alternatives on threatened and endangered plants and animals and their habitats has been evaluated in accordance with the Endangered Species Act of 1973, as amended. Based on currently available information, the proposed action would not affect any threatened or endangered species or their habitats. Therefore, no consultation with the U. S. Fish and Wildlife Service is considered necessary pursuant to Section 7 of the Act and none will be undertaken.

Bruce E. Seppi
Bruce E. Seppi, Examining Wildlife Biologist

August 19 2008
Date

**United States Department of Interior
Bureau of Land Management
Anchorage Field Office**

**COMPLIANCE WITH
ANILCA SECTION 810**

EVALUATION AND FINDINGS

Case File No.: AA-087973 Categorical Exclusion: **AK-010-08-CX-047**

APPLICANT: Vernon Humble-AK Trophy Hunting

PROPOSED ACTION: The Proposed Action involves commercial big game guiding-outfitting activities conducted partially on BLM-administered lands and waters within State-established Guide Use Areas (GUA) 19-10 (Rohn) and 06-01 (Robinson Mountains). Mr. Humble wishes to establish a temporary base camp on State land that would be authorized through a State permit. Spike camps *may* be located on surrounding BLM-administered lands. The locations of temporary spike camps are unknown at this time since they are dependent on the location of game. The spike camps would be utilized for short periods of time (3-7 days) by three to ten clients annually. Initial access to the area involves flying the clients to the BLM Rohn Air Navigation Site and then transporting them to the State base camp. The applicant wishes to utilize ATVs on river bars and existing trails.

Proposed use within GUA 06-01 would occur April, May, and June, as well as September through November. Mr. Humble wishes to establish a temporary base camp on State or private land that would be utilized through a permit. Spike camps *may* be located on surrounding BLM-administered lands. Activities would include the use of ATVs and four wheel drive vehicles. The current road system, the beach, and existing trails will be used to access hunting areas. Initial access to area will be at Icy Cape via air taxi service. Landings may also occur on a strip located along the White River or land on Glaciers and walk down to hunting areas.

LOCATION: T. 026 N., R. 022 W., Sec. 30, Seward Meridian, and
T. 021 S., R. 020 E., Sec. 29, Copper River Meridian.

EVALUATION

Effect of proposed action on subsistence uses and needs;

Fisheries:

The proposed action would not significantly reduce harvestable fisheries resources that are available for subsistence use. Guided activity will focus on big game hunting. Any fishing activity will be secondary and minor. The proposed action would not alter the distribution, migration or location of harvestable fisheries resources. Approved mitigation measures would prevent degradation of adjacent water sources and fisheries habitat. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resource.

Wildlife:

The subject BLM administered lands for the base camp are patented, interim conveyed, or tentatively approved by Alaska Native Corporations or the State of Alaska and are not Federal Public lands as defined in ANILCA 102 (3); therefore, do not fall under the authority of the Federal Subsistence Board, The Subsistence Regulation for the Harvest of Wildlife on Federal Public Lands in Alaska or the Subsistence Regulations for the Harvest of Fish and Shellfish on Federal Public Lands and Waters in

Alaska. Validly patented, conveyed, or tentatively approved lands fall under the authority of the State of Alaska for the management of fish and game.

The proposed action of guiding for big game hunting in the areas should not appreciably reduce harvestable wildlife resources that are available for subsistence taking on BLM administered lands. Guided hunting activity would result in the take of a portion of wildlife populations as allowed under State regulations for the taking of wildlife and would be limited to a moderate number of animals.

The proposed action would occur in areas that are fairly remote from local villages and important subsistence use areas. The most intensive subsistence activity is believed to be concentrated on lands conveyed or selected by the Native Village corporations. Subsistence activities are a key factor in the selection of lands by Native individuals and corporations, and Native Allotments are typically claimed based on a family's use of a site for subsistence activities. . Most of the BLM lands in these regions is largely inaccessible except by aircraft and receives little consistent use by qualified Federal Subsistence users. The proposed base camp should be remote enough that encounters with subsistence hunters will be unlikely.

The proposed action should not alter the distribution, migration or location of harvestable wildlife resources. Temporary camps and hunting activity may displace animals in the immediate vicinity, but such impacts would occur only during the short time that camps are in use.

Other Resources: The proposed action would not appreciably impact any other harvestable renewable resources such as wood, berries, vegetation or water.

Availability of other lands for the purpose sought to be achieved:

The proposed action occurs mostly on State Patented or Tentatively Approved lands. Other lands available are federal and Native lands.

Other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes:

There is no substantial evidence that would indicate a significant impact as a result of the proposed action. No other alternatives were evaluated.

FINDING:

This proposed action will not significantly restrict subsistence uses. As a result of the proposed action there are no reasonably foreseeable significant decreases in the abundance or distributions of subsistence resources and no reasonably foreseeable limitations to subsistence access. Upon a renewal application we would request spike camp locations to better assess any potential use of federal public lands and potential impacts to subsistence resources.

PREPARED BY:


GEOFF S. BEYERSDORF

DATE:

9/17/08